



City of Rowlett

Meeting Minutes

City Council

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

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Tuesday, December 2, 2014

5:40 P.M.

Municipal Building – 4000 Main Street

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

Present: Mayor Gottel, Mayor Pro Tem Gallops, Deputy Mayor Pro Tem Pankratz, Councilmember van Bloemendaal, Councilmember Dana-Bashian, Councilmember Bobbitt and Councilmember Sheffield

1. CALL TO ORDER

Mayor Gottel called the meeting to order at 5:40 p.m.

2. EXECUTIVE SESSION

Convened into Executive Session at 8:54 pm following Item 8C.

- 2A.** The City Council shall convene into Executive Session pursuant to the Texas Government Code, §551.087 (Economic Development) and §551.071 (Consultation with Attorney) to receive legal advice from the City Attorney and discuss the Rowlett Public Library transition plan. (60 minutes) (THIS ITEM WILL BE DISCUSSED FOLLOWING THE REGULAR PORTION OF THE MEETING)

This item was tabled until the December 9, 2014 Council meeting.

- 2B.** The City Council shall convene into Executive Session pursuant to the Texas Government Code, §551.087 (Economic Development) and §551.071 (Consultation with Attorney) to receive legal advice from the City Attorney and to discuss and deliberate the offer of financial or other incentives to business prospects that the City may seek to have locate in or near Elgin B. Robertson Park. (30 minutes) (THIS ITEM WILL BE DISCUSSED FOLLOWING THE REGULAR PORTION OF THE MEETING)

A motion was made by Deputy Mayor Pro Tem Pankratz, seconded by Councilmember Dana-Bashian, to approve the amended Letter of Intent with Donahue Investments pursuant to City Attorney approval. The motion carried with a unanimous vote of those members present.

3. WORK SESSION (5:40 P.M.)* Times listed are approximate

3A. Discuss Kids Kingdom Strategy. (15 minutes)

Jermel Stevenson, Director of Parks and Recreation, provided the background information on this item. Spoke concerning the project strategy and timeline.

Concerns were voiced regarding the timetable for the Design Day, fundraising, and community involvement.

3B. Discuss and receive direction from City Council on enhancing public notification for zoning cases by increasing the notification radius from 200 feet to 500 feet. (15 minutes)

Garrett Langford, Principal Planner, provided the background information on this item. Stated the City Council's adopted Work Plan included a strategy to increase the notification radius from 200 feet to 500 feet.

With that, Staff brought forth three options for consideration.

Option 1 - Establish a policy directing Staff to send additional notices to all property owners located outside of the 200-foot public notice radius but within 500 feet.

Option 2 - Amend the Rowlett Development Code to require additional notices for those properties between 200 feet and 500 feet of a subject property. (Do not include in super-majority calculations)

Option 3 - Amend the Rowlett Development Code to require additional notices for those properties between 200 feet and 500 feet of a subject property. (Include in super-majority calculations)

A majority of Council directed staff to proceed with Option 1.

3C. Discuss Verizon PEG Fund Contribution. (15 minutes)

Alan Guard, Chief Financial Officer, provided the background information on this item. Stated the City of Rowlett collects fees from its cable franchisees to provide funding for capital expenditures associated with the Public, Educational and Government programming on the cable network. This is designated as the City's PEG Fund. When originally established in 2006, the City elected to receive \$0.50 per subscriber. This fee is passed on directly to the subscribers. In reviewing their files, Verizon found a 2006 letter, which referred to changing to the one percent (1%) starting in

June 2010. Based on the intent of that letter, Verizon has determined that a payment totaling \$296,004.34 would true up the remittance for the period June 2010 – June 2014. In order to pay this however, the fee would need to be collected from Verizon customers going forward.

Council was questioned as to how they would like to proceed.

Consensus was reached to decline the \$296,004.34 true up and provide direction to Verizon to begin collecting the one percent fee for the PEG Fund.

- 3D.** Discuss a proposal accepting the bid of and awarding a contract to Dowager Utility Construction, LTD for the total bid amount of \$1,491,698.76 plus 10 percent contingency in the amount of \$149,169.88 plus up to \$25,000.00 for an early completion bonus, resulting in a total award amount of \$1,665,868.64 for the North Shore Sanitary Sewer Project and authorizing the Mayor to execute the necessary documents for said services. (15 minutes)

Tim Rogers, Director of Public Works, provided the background information on this item. Stated the purpose of this project is to eliminate the need for two pumping stations to provide service to the Huffines Development. It will also provide sewer capacity for the remaining undeveloped areas in the North Shore, opening this area up for future economic development, and it will leverage private investment dollars with taxpayer dollars for a more cost efficient solution.

- 3E.** Provide Council with an update and discuss and receive feedback on the Community Development Block Grant (CDBG) as it relates to the Public Facilities, Public Services and Housing Rehabilitation Program. (45 minutes)

Marc Kurbansade, Director of Development Services, provided the background information on this item. Stated Staff has been working to understand the requirements for each program and have begun setting up policy guidelines as required by HUD. In doing so, there are several areas that require Council feedback prior to proceeding. Specifically between the Housing Rehabilitation Program, the Public Facilities Program, and Public Services Program. Upon receiving direction from Council, it is Staff's goal to have these programs initiated by February 2015.

Housing Rehabilitation Program:

1. Should mobile homes be eligible for repairs?
Council consensus: Only in instances of emergency repairs.
2. Should the funds be allocated by way of a grant, partially forgivable loan or fully forgivable loan?
Council consensus: To provide a fully forgivable loan with a stipulation that the property could not be sold within 18 months of the repairs; however, emergency repairs up to \$2,000 maximum would be provided as a grant.

3. Does City Council want to set aside a portion of the funds for eligible emergency repairs?
Council consensus: All grants will be on a first-come, first-serve basis, based on availability of funds.

4. Should property owners who owe back taxes or liens be eligible for repairs?
Council consensus: To limit to emergency repairs only.

Public Facilities Program:

Pavilion - \$40,000

Fencing - \$6,000

Outdoor fitness area - \$17,000

Council consensus: To move forward with the pavilion and fencing but to substitute landscaping for the outdoor fitness area.

Public Services Program:

1. Animal Adoption/Veterinarian Assistance through Friends of Rowlett Animals
2. Kayak Rental Assistance at Paddle Point Park
3. Character programs tuition assistance through Men of Honor
4. Community Garden Project through Keep Rowlett Beautiful
5. Equipment/Fee Assistance through Rowlett Hockey League

Council consensus: To continue supporting Life Message for the 2014 Annual Plan and to consider additional recipients for the next year.

4. DISCUSS CONSENT AGENDA ITEMS

No items were removed from the Consent Agenda to be considered individually.

CONVENE INTO THE COUNCIL CHAMBERS (7:30 P.M.)*

Convened into the Council Chambers at 7:35 p.m.

INVOCATION

The invocation was led by Chaplain Steven Leatherwood.

PLEDGE OF ALLEGIANCE

TEXAS PLEDGE OF ALLEGIANCE

The Pledges were led by the City Council.

5. PRESENTATIONS AND PROCLAMATIONS

- 5A. Presenting a proclamation to the Rowlett High School Band for their placement at University Interscholastic League (UIL) Texas State Marching Band Contest at the Alamodome in San Antonio, Texas.

Councilmember Dana-Bashian presented a proclamation to the Rowlett High School Band for their recent accomplishment.

- 5B. Update from the City Council and Management: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest and Items of Community Interest.

Mayor Gottel presented the following update: The next Council meeting will be held on Tuesday, December 9th and there will be no special work session for the month of December. The Planning and Zoning Commission will meet on Tuesday, December 9th in the Annex Conference Room and there will be no meeting on Tuesday, December 23rd. The next Community Investment Program Task Force meeting will be held on Tuesday, December 9th and there will be no meeting on Tuesday, December 23rd. Read about the newest developments coming to Rowlett in the November Issue of the Mayor's Message. The Stop A Cop Toy Drive has begun. From November 29th – December 20th, you may wave down any officer and if they aren't responding to a call, they will be happy to take your donation. Toys may also be dropped off 24 hours a day at any of the four Fire Stations or the lobby of the Police Station. Other collection sites include Rowlett Community Centre, City Hall, Fire Administration and the Chamber of Commerce. Toy donations accepted in the Wal-Mart parking lot on these Saturdays: December 6th from 10am to 2pm; December 13th from 2pm to 6pm; and December 20th from 10am to 2pm. Twice a month watering resumed on November 1st. Check out our web page for Seniors at www.rowlett.com, go to Departments, Parks and Recreation then click on Seniors. There is always something at the Library for Seniors – call 972-412-6161 or come by to see what's going on. The Rowlett Animal Shelters is maintaining a 100% live release rate for FY2015! Remember to have your pet vaccinated. A Low Cost Vaccine Clinic will be held at the Animal Shelter on Saturday, December 13th from 1pm – 3pm. The Animal Shelter is located at 4402 Industrial Street. The Parks and Recreation Department has several upcoming events: Main Street Fest and Holiday Parade - Saturday, December 6th from 3:00pm-7:00pm (Downtown Rowlett on Main Street); Senior Holiday Luncheon – Thursday, December 11th, 11:30am at the Rowlett Community Centre; and the New Year's Noon Toast for Seniors – Wednesday, December 31st, 11am at the Rowlett Community Centre. Also check out all the Fall & Winter programs, including programs for Seniors, listed in the Lakeside Leisure or at www.rowlett.com on the Parks Department page. The Rowlett Library has several upcoming events: Holiday Crafts – Saturday, December 6th – All day; Trip to the North Pole – Saturday, December 13th, 2pm; Holiday Movie – FROZEN – Saturday, December 20th, 2pm; Winter Reading Club – December 22nd-January 2nd; and the Arts and Humanities 14th Annual Young Artists Contest & Exhibit, for more information, visit the Arts and Humanities Commission webpage at www.rowlett.com. The Arts and Humanities Commission offers grants. Applications are due this Saturday, December 6th; applications and information are available at www.rowlett.com. The Library will have early closings before the Holidays: Closing at 6pm on

Tuesday, December 23rd; and closing at 6pm on Wednesday, December 31st. City offices will be closed the following days for the holidays: Christmas – Wednesday and Thursday, December 24th and 25th and New Year's – Thursday, January 1st. Trash and recycling pickup will be delayed one day and Waste Management will not pick up on the following holidays: Christmas Day – Thursday, December 25th; and New Year's Day – Thursday, January 1st.

Mayor Gottel introduced Animal Control Officer Monica Patterson and Elsa. Spoke regarding the Animal Shelter's live release rate and their hopes to find Elsa a forever home.

6. CITIZENS' INPUT

Three people spoke during Citizens' Input.

1. Darrin Hedges – 6617 Creek Bend, Rowlett – Spoke regarding FC Dallas and the Parks and Recreation contract renewal.
2. Becky Brunsen – 2012 Chiesa Road, Rowlett – Spoke regarding youth soccer in Rowlett.
3. Scott Montgomery – 3201 Indian Trail, Rowlett – Spoke regarding soccer field usage in Rowlett.

7. CONSENT AGENDA

No items were removed from the Consent Agenda to be considered individually.

- 7A.** Consider action to approve minutes from the November 18, 2014, City Council Meeting.

This item was approved on the Consent Agenda.

- 7B.** Consider action to approve a resolution awarding the second and final one year renewal option for screening wall repair and maintenance services to Ratliff Hardscape LTD in the unit amounts bid and in an estimated annual amount of \$50,000 and authorizing the Mayor to execute the Standard Public Works Construction Contract for said service.

This item was approved as RES-119-14 on the Consent Agenda.

- 7C.** Consider action to approve a resolution to amend the City's Sick Leave Payout Policy in order to reduce the City's liability rate.

This item was approved as RES-120-14 on the Consent Agenda.

- 7D.** Consider action to approve a resolution authorizing the final acceptance and release of retainage for the Downtown Improvement Project in the amount of \$184,796.09 to Phillips May Corporation and authorizing the Mayor to execute the necessary documents.

This item was approved as RES-121-14 on the Consent Agenda.

- 7E.** Consider action to approve a resolution accepting the bid of and awarding a contract to Dowager Utility Construction, LTD for the total bid amount of \$1,491,698.76 plus ten percent contingency in the amount of \$149,169.88 plus up to \$25,000 for the early completion bonus, resulting in a total award amount of \$1,665,868.64 for the North Shore Sanitary Sewer Project and authorizing the Mayor to execute the necessary documents for said services.

This item was approved as RES-122-14 on the Consent Agenda.

- 7F.** Consider action to approve the purchase of an additional set of Personal Protective Ensemble gear for each firefighter.

This item was approved as RES-123-14 on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Mayor Pro Tem Gallops, seconded by Deputy Mayor Pro Tem Pankratz, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried with a unanimous vote of those members present.

8. ITEMS FOR INDIVIDUAL CONSIDERATION

- 8A.** Conduct a public hearing and consider a recommendation regarding Major Warrants for property located at 6800 Scenic Drive, and located within the Healthy Living, Urban Village Form Based District, related to the following Form Based Code standards in order to develop the subject property: roadway dedication, open space, continuous building frontage, ceiling height requirements and primary entry location.

Marc Kurbansade, Director of Development Services, provided the background information on this project. Spoke regarding the five proposed major warrants. Council discussed the issues regarding the ceiling height requirement and the exemption of the 80% continuous building frontage requirement.

The public hearing opened and closed at 8:36 pm with no one speaking.

A motion was made by Councilmember Sheffield, seconded by Mayor Pro Tem Gallops, to approve the item as presented. The motion carried with a unanimous vote of those members present. This item was adopted as ORD-038-14

- 8B.** Conduct a public hearing and consider an ordinance approving a Special Use Permit to allow a licensed massage establishment in a Planned Development District Ord. 3-5-96D located at 8809 Lakeview Parkway, Suite 100, within the Lakepoint Shopping Center. (SUP14-745)

Marc Kurbansade, Director of Development Services, provided the background information on this project. Stated the Special Use Permit shall be limited to licensed massage therapy establishments only.

The public hearing opened and closed at 8:44 pm with no one speaking.

A motion was made by Mayor Pro Tem Gallops, seconded by Deputy Mayor Pro Tem Pankratz, to approve the item as presented. The motion carried with a unanimous vote of those members present. This item was adopted as ORD-039-14

- 8C.** Conduct a public hearing and take action on a request to amend Planned Development Ordinance #28-04 to allow additional land uses at a property located at 1800 Dalrock Road further described as Lot 1, Block A, Shafer Plaza Addition to the City of Rowlett, Rockwall County, Texas. (PD14-737)

Garrett Langford, Principal Planner, provided the background information on this project. Stated the existing planned development limits allowed uses to retail and restaurant. The proposed planned development would allow for office space use and would establish parking for office use.

The public hearing opened and closed at 8:50 pm with no one speaking.

A motion was made by Mayor Pro Tem Gallops, seconded by Councilmember Sheffield, to approve the item as presented. The motion carried with a unanimous vote of those members present. This item was adopted as ORD-040-14

Following Item 8C, the City Council convened into Executive Session.

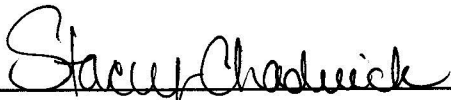
TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS

Item 2A was tabled until the December 9, 2014 Council meeting. Please see Item 2B for action results.

9. **ADJOURNMENT**

Mayor Gottel adjourned the meeting at 9:30 p.m.



Todd W. Gottel, Mayor

Stacey Chadwick, Deputy, City Secretary

Date Approved: December 9, 2014

